

PCT #3

TRANSMITTAL LETTER					Case No. 10329/3
Int'l Appl. No. PCT/AU99/00079	U.S. App. Ser. No. 09/486,648	Int'l Filing Date Feb. 5, 1999	U.S. Filing Date Feb. 24, 2000	Examiner Not Assigned	Group Art Unit Not Assigned
Inventor(s) Dennis Andrew Benjamin et al.					09/486648
Title of Invention SYSTEM FOR HANDLING ELECTRONIC MAIL					

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Copy of Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US); Declaration For Patent Application; Power Of Attorney; Assignment Cover Sheet; Assignment of Dennis Andrew Benjamin; Second Assignment Cover Sheet; Assignment of Nicholas Alan Rodda; Response To Notification Of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US), and post card.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☒ A statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☒ Petition for a five (5) month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

## Small Entity

Rate	Add'l Fee
x \$9 =	
x \$40 =	
+ \$135 =	
Total add'l fee	\$

## Other Than Small Entity

Rate	Add'l Fee
x \$18 =	
x \$80 =	
+ \$270 =	
total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$65.00 to cover the surcharge is enclosed.
- ☒ Two checks in the amount of \$40.00 and \$40.00 to cover the assignment fees are enclosed.
- ☒ A check in the amount of \$945.00 to cover the extension fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

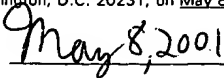


John C. Freeman  
Registration No. 34,483  
Attorney for Applicants

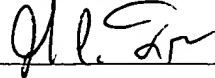
BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: The Commissioner for Patents, Washington, D.C. 20231, on May 8, 2001.

Date:



Signature:



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deposited with the United States Postal Service as  
first class mail in an envelope addressed to:  
Commissioner for Patents, Washington,  
D.C. 20231 on May 8, 2001

Name of Registered Representative:

John C. Freeman  
John C. Freeman, Registration No. 34,483

May 8, 2001  
Date of Signature

PATENT  
CASE NO. 10329/3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Dennis Andrew Benjamin et al. )  
) Group Art Unit: unassigned  
International Patent Application )  
No.: PCT/AU99/00079 )  
)  
International Filing Date: February 5, 1999 )  
)  
U.S. Serial No.: 09/486,648 )  
) Examiner: unassigned  
U.S. Filing Date: February 24, 2000 )  
)  
For: SYSTEM FOR HANDLING )  
ELECTRONIC MAIL )

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35**  
**U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**  
**(D0/EO/US)**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

05/14/2001 NHGUYEN 00000024 09486648

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65.00 0P

On November 9, 2000, a Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) ("the Notification" was mailed to the Applicant. The Notification indicated that an additional claim fee of \$1,187 as a large entity was due. This is in error.

On February 24, 2000, Applicant filed two checks with the U.S. Patent Office in the amounts of \$485 and \$702 to cover the small entity filing fee and claim fees. The check for \$702 was for 65 extra total claims (cost \$585) and 3 extra independent claims (cost \$117). It is believed that Applicant's calculation is correct and the calculated fee of \$1,187 is in error, especially in view of the fact no form PTO-875 was attached to the Notification.

Please note that the check for \$702 was received by the U.S. Patent Office as evidenced by the attached copy of the return post card and the attached copy of the canceled check showing the U.S. Patent Office has cashed the check for the extra claims.

Based on the above facts, it is clear that Applicant has paid for the extra claims on February 24, 2000 and so the Notification is incorrect.

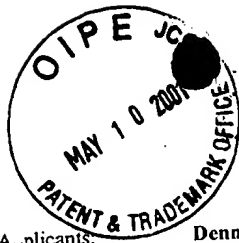
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J.C. Freeman', written over the printed name.

John C. Freeman

Registration No. 34,483

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200



Applicants: Dennis Andrew Benjamin and Nicholas Alan Rodda  
Serial/Matter: 10329/3  
System FOR HANDLING ELECTRONIC MAIL  
Items Mailed: PCT National Filing Cover Sheet (trans. letter - in dupl.);  
PCT Publication PCT/AU99/00079 (twenty-five (25) pages of specifications and  
claims; five (5) sheets of drawings); Copy of October 12, 1999 Amendment;  
Copy of November 16, 1999 Replacement Claims; Preliminary Amendment  
with Abstract of Disclosure; check for \$485.00 (for filing fee); check for \$702.00  
(for claims); and post card

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

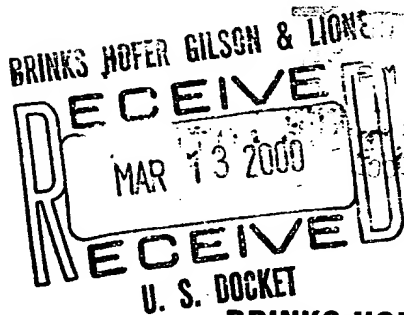
Date of Mailing: February 24, 2000  
Express No.: EL173012444US

09/486648

522 Rec'd PCT/PTO 24 FEB 2000

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By *John C. Freeman*

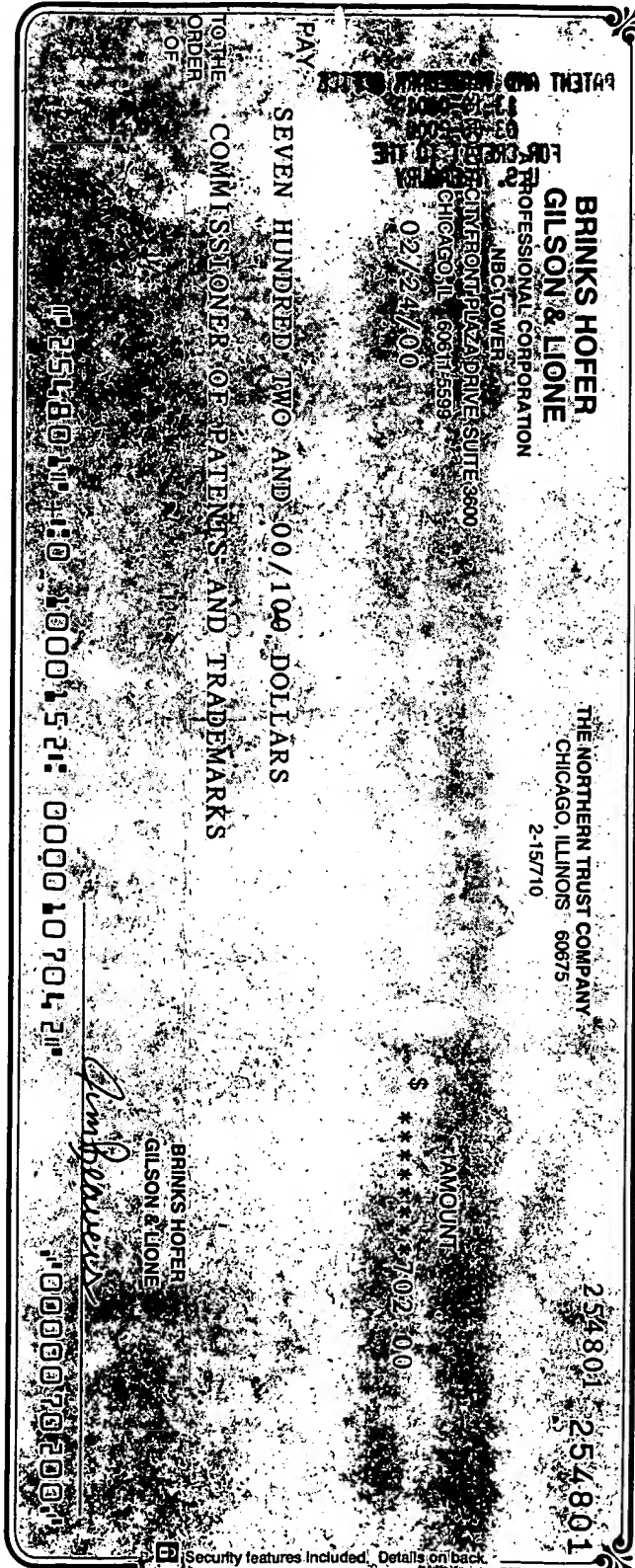


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Washington, D.C. 20231

#3

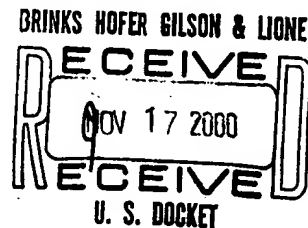
U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/486648	BENJAMIN	D 10329-3
INTERNATIONAL APPLICATION NO.		
PCT/AU99/00079		
I.A. FILING DATE	PRIORITY DATE	
05 FEB 99	05 FEB 98	
DATE MAILED: 09 NOV 99 09 NOV 00		

BRINKS HOFER GILSON & LIONE  
P O BOX 10395  
CHICAGO, IL 60610

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
  - ☐ a non-English language.
  - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventor(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed FEB 24 2000 and \_\_\_\_\_.
- ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_.
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☒ Other: 306



2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
  - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$1187 \_\_\_\_\_ as a ☒ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

- 4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
- 5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

***A copy of this notice MUST be returned with this response.***

Enclosed:  
☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875  
FORM PCT/DO/EO/905 (December 1997)

John L. Anderson *JLA*  
Telephone: 703-308-9116